CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JUNE 3, 2008

INVOCATION:
Captain Bob Louangamath of the Salvation Army gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Trujillo led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, and Mayor Lavagnino

MEMBERS ABSENT
Councilmember Zacarías

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Director of Recreation and Parks Posada, Accounting Manager Harvey, Planning Division Manager Woods, Police Chief Macagni, Fire Chief Ortiz, Planner II Halverson, and Chief Deputy City Clerk Perez.

PROCLAMATION – HOMETOWN CELEBRATION
Councilmember Orach read a proclamation declaring June 20, 2008, as the 10th Year Anniversary of Santa Maria's All-America City status and June 22, 2008, as the "Hometown Celebration" in the City of Santa Maria, a celebration of our All-America City designation and a tribute to the countless numbers of people who have, over the years, contributed to the health and well-being of the Santa Maria community. The proclamation was accepted by Laura Mohajer, Chairperson, and members of the All-America City Committee.

PROCLAMATION – MAKE-A-WISH FOUNDATION MONTH OF JOY
Councilmember Patino read a proclamation declaring the month of June 2008 as "Make-A-Wish Foundation Month of Joy" in the City of Santa Maria and applauding the commitment that the Make-A-Wish Foundation makes to children with life-threatening medical conditions, their families and communities. The proclamation was accepted by Bobbi Thompson.

PUBLIC COMMENT
Robert Armstrong, Santa Maria Community Coalition, spoke regarding the proposed Mahoney Ranch South project and the need for more public input on the project.

Glenda Stafford spoke about problems in her neighborhood on Colorado Street and asked for assistance in resolving their concerns.

Peggy Jordan spoke about the need for the Police Department to receive the U. S. Immigration and Customs Enforcement 287(g) training.

Richard Dydell spoke again about his wife's high hospital bill and illegal aliens being treated for free. He talked about the H2-A Visa program. He also spoke about Pioneer Valley High School, and the portable classrooms that have been installed to handle the influx of illegal aliens' children.

Ernest Armenta spoke about the high gas, food, and clothing prices and indicated he could not support Measure A for those reasons. He talked about the number of houses

in foreclosure and the unkempt condition of the properties. He also said the Police Department had enough to do and should not be doing Immigration's job.

Sharon Knotts spoke about the mobile catering trucks and the unfair competition to restaurant owners. She asked that they be treated the same as flower vendors in any proposed regulations.

Councilmember Patino explained that the City's Code Compliance Division had been handling problems with catering vehicles, including doing weekend checks.

City Attorney Trujillo stated in April of this year the Council adopted an ordinance that made catering truck violations a misdemeanor rather than an infraction. Since that time, his office had been out on enforcement detail after regular business hours with the Police Department where warnings and $1,000 fines were issued. He said Code Compliance had been very proactive in responding to these types of complaints.

CONSENT CALENDAR
Mayor Lavagnino thanked staff for bringing forward angled parking on West Church Street, Item 3J, and said it was a great idea.

Consent Calendar Items A through J were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Zacarias
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 20, 2008, were approved as submitted.

C. PROPOSED BUDGET
Council received the 2008-10 proposed Budget, directed staff to distribute the documents, and set the time for a public hearing for consideration of the budget for June 17, 2008.

D. RELEASE OF BOND
Council accepted as complete the public improvements associated with Rose Garden Village II, Tract 5836, and released a Faithful Performance Bond in the reduced amount of $50,000 for the construction and installation of public improvements with an order that the Contractor, Labor and Material bond be retained until December 2008 and the Guarantee and Defective Material bond be retained until June 2009.

E. RELEASE OF BOND
Council accepted as complete the public improvements associated with Rose Garden Village, Tract 5725, Unit 2, and released a Faithful Performance Bond in the amount of $323,792 for the construction and installation of boundary walls with an order that the Contractor, Labor and Material bond be retained until December 2008.

F. WARRANTS
Warrant Nos. 142278 to 142564 in the amount of $4,204,678.39 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 136712 and 137454 were cancelled.

G. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

H. ORDINANCE NO. 2008-09
Second reading of Ordinance No. 2008-09 was conducted by title only rezoning 1.36 acres located at 1670 E. Donovan Road from PD/R-3/Senior (Planned Development/High Density Residential/Senior) to PF (Public Facilities) for Fire Station No. 3, and the Ordinance was adopted.

Ordinance No. 2008-09 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE SANTA MARIA FIRE STATION #3 PROJECT, GPZ-2007-005, ASSESSOR PARCEL NUMBER 128-033-038, LOCATED AT 1670 EAST DONOVAN ROAD (1.36 ACRES).

I. ORDINANCE NO. 2008-10
Second reading of Ordinance No. 2008-10 was conducted by title only approving amendments to Chapter 34 of Title 12 of the Santa Maria Municipal Code relating to sign regulations, and the Ordinance was adopted.

Ordinance No. 2008-10 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE AMENDMENTS TO CHAPTER 34 (SIGNS) OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE, Z-2008-001.

J. ANGLE PARKING
Resolution No. 2008-80 was adopted approving the establishment of angle parking on West Church Street between Depot Street and Smith Street.

Resolution No. 2008-80 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING ANGLE PARKING ON WEST CHURCH STREET PURSUANT TO SECTION 7-5.24 OF THE SANTA MARIA MUNICIPAL CODE.

REVISED DRAFT STORM WATER MANAGEMENT PLAN
Director of Utilities Sweet gave the staff report. The City is required to comply with the provisions of the Federal Clean Water Act. The Central Coast Regional Water Quality Control Board (RWQCB) administers the implementation of the Act by overseeing the City's storm water discharge program. To comply with this program, a Storm Water Management Plan must be prepared by the City and approved by the RWQCB. A Storm Water Management Plan is designed to reduce the discharge of pollutants to the maximum extent practicable and to protect water quality. In 2003, the City made its initial Storm Water Management Plan submittal to the RWQCB. After a number of revisions, the RWQCB approved and posted the City's Plan for public review on January 3, 2006. However, because the Central Coast Region includes such an ecologically sensitive coastal area, the RWQCB received commenting letters from non-governmental agencies that postponed formal consideration of the City's Plan. In letters dated February 15, 2008, and March 18, 2008, the RWQCB Executive Officer set forth directives for additional revisions to the City's Plan. Based on these directives, City staff made a number of initial revisions to the Plan and held a public workshop on May 14, 2008, to receive community input. According to State law, once submitted, the RWQCB will schedule an additional 60-day comment period for the City's Plan. The City's Plan is tentatively scheduled for a public hearing before the RWQCB on September 5, 2008, and, thereafter, for final approval leading to coverage under the State General Permit. Council is asked to receive the Revised Draft Storm Water Management Plan and authorize its submittal to RWQCB.

Councilmember Trujillo stated this was a long-term plan and suggested that staff go above and beyond what is normally done to inform the public about the plan.

Director Sweet explained that this was the first review. The Regional Water Quality Control Board would hold a 60-day review session before the final Plan would come back to the Council.

Councilmember Orach stated while riding in his car this morning he heard an announcement sponsored by the City about how to keep grease, oil and contaminates from getting in the storm water system. He asked for information at a later date about how much it was going to cost the City to manage the Plan. He asked the residents of Santa Maria to be more careful and to use common sense.

Councilmember Patino asked if the Utilities Department ever went into the schools and talked about this.

Utilities Director Sweet explained the Department had an extensive public outreach campaign which actually targeted the schools as the primary target group. They did have a program that specifically targeted school children.

On motion by Councilmember Orach, seconded by Councilmember Patino, and carried unanimously, the Revised Draft Storm Water Management Plan was received and filed, and staff was directed to transmit it to the Regional Water Quality Control Board.

City Manager Ness commented that the City did hold a workshop on the Plan on May 14th. In addition, the Santa Maria Times covered this item very well in several articles. The draft report has been posted on the City's web site. The draft would be coming back to the Council, and staff would continue to market and advertise the plan.

CITY MANAGER'S REPORT

City Manager Ness reported on items expected for the June 17, 2008, City Council meeting including a public hearing regarding the 2008-10 Budget which would be the main item on the agenda, a public hearing on amendments to the Blosser/Southwest Specific Plan, a regular business item regarding an ordinance on Civil Penalties and Attorney's fees, and a property tax exchange agreement for the Enos Ranchos Project.

City Manager Ness announced that the County applied for $25 million in Prop 150 money which included $4.8 million for the City's Wastewater Treatment Plant Expansion Project. Staff received word today that the Santa Barbara County grant had been fully funded, and the City would get $4.8 million. He congratulated Director Sweet and his staff, especially Teresa Reyburn, for the excellent job he and his staff did.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Trujillo reported that on Saturday, May 31st, he was a guest speaker for the Filipino Community's 25th Anniversary Celebration.

Councilmember Patino reported that she attended the following events: Fighting Back Santa Maria Valley's "Every 15 Minutes," and on May 20th, they followed up with a Town Hall Meeting with over 300 people in attendance; the Strawberry Scholarship luncheon on May 21st; the FFA Dinner at Santa Maria High School on May 22nd; the Memorial Day event at the cemetery and the barbecue at Pioneer Park for veterans on May 26th; the 50-year celebration for Dr. Hiester at Marian Medical Center on May 28th; the Annual Fire Season Kick Off and Barbecue on May 29th; the McCoy Traffic Study Workshop on May 28th; and the Elk's Rodeo Parade on May 31st.

Mayor Lavagnino reported he had been on vacation in Mexico for a week, but he did return in time to attend the Elk's Rodeo and Parade.

Councilmember Orach reported he also rode in the Elk's Parade, attended the Kustom Car Show on May 23rd and 24th; the Memorial Day barbecue for the veterans at Pioneer Park; and the Town Hall Meeting that was held by Fighting Back Santa Maria Valley.

CLOSED SESSION
Council recessed to a Closed Session at 7:20 p.m. for Conference with Legal Counsel regarding Anticipated Litigation pursuant to subdivision (b) of Government Code Section 54956.9 for 1 potential case and Conference with Real Property Negotiators pursuant to Government Code Section 54956.8 relating to price and terms of payment for property at 1111 W. Betteravia Road.

Following the Closed Session, the following report was given:

Conference with Real Property Negotiators – Direction to staff was given.

Conference with Legal Counsel – Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Mayor Lavagnino at 8:02 p.m.

APPROVED

June 17, 2008
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria